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**SAIBER, SCHLESINGER SATZ &
GOLDSTEIN, LLC**
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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MAGWITCH L.L.C.,

Plaintiff,

V.

PUSSER'S, INC., et al.

Defendants.

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Civil Action No. 07-3040 (SRC) (CCC)

**DEFENDANTS' NOTICE OF
MOTION**

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TO: Thomas R. Curtin, Esquire
GRAHAM CURTIN, P.A.
4 Headquarters Plaza
P.O. Box 1991
Morristown, New Jersey 07962

PLEASE TAKE NOTICE that on the 24th day of September, 2007, at 10 o'clock in the forenoon, or as soon thereafter as counsel may be heard, Defendants Pusser's, Inc., Pusser's, Ltd., Pusser's West Indies, Ltd., and Charles Tobias shall move before the Honorable Stanley R. Chesler, United States District Judge, at the United States Courthouse, 50 Walnut Street, Newark, New Jersey for the entry of an Order, pursuant to Rules 12(b)(2) and 12(b)(3) of the Federal Rules of Civil Procedure to dismiss the Complaint.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants shall rely upon the Brief and Declaration of Charles S. Tobias submitted concurrently herewith in support thereof, all pleadings of record, and oral argument which is respectfully requested.

Dated: August 23, 2007

Respectfully submitted,

**SAIBER, SCHLESINGER SATZ
& GOLDSTEIN, LLC**
Attorneys for Defendants

By: /s/ Arnold B. Calmann
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